

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

SCOTT PIKE,

Plaintiff,

v.

No.: 3:12-cv-666

AVERY JOHNSON, et al.,

Defendants.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. On March 11, 2013, the court granted the defendants' motion for extension of time. Plaintiff's copy of that order, which was mailed to him at his last known address of the Anderson County detention Facility, was returned undelivered on March 15, 2013 with the notation "return to sender - not at this facility." In the meantime, the defendants through counsel informed the court that plaintiff was no longer confined in the Anderson County Detention Facility. In the court's initial order, plaintiff was ordered to inform the court immediately of any address changes. Plaintiff was also advised that failure to provide a correct address within ten days following any change of address would result in the dismissal of this action.

Accordingly, this action will be **DISMISSED WITH PREJUDICE** for plaintiff's failure to prosecute and to comply with the orders of this court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). In addition to the above, the court will **CERTIFY** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Fed. R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

s/ Thomas W. Phillips
United States District Judge